

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

-----	X	
MICHAEL KHALIL,	:	
	:	
Plaintiff,	:	Hon. Joseph A. Greenaway, Jr.
	:	
v.	:	Civil Action No. 07-2359
	:	
COMMISSIONER OF	:	CONSENT ORDER TO REMAND
SOCIAL SECURITY,	:	PURSUANT TO SENTENCE 4 OF
	:	42 U.S.C. § 405(g)
	:	
Defendant.	:	
-----	X	

CLOSED

This matter has been opened to the Court by Christopher J. Christie, United States Attorney for the District of New Jersey, and Karla J. Gwinn, Special Assistant United States Attorney, attorneys for Defendant, for an Order remanding the within cause of action to the Defendant pursuant to sentence 4 of 42 U.S.C. § 405(g) so that further administrative action may be taken. Upon remand, the Administrative Law Judge will be ordered to acknowledge and reconcile all medical evidence, including the opinions of the treating physicians and state agency psychologist, and consider all medical evidence when determining plaintiff's residual functional capacity. The Administrative Law Judge will also be directed to obtain evidence from a medical expert to assist in evaluating the severity of plaintiff's impairments. Finally, the Administrative Law Judge will be ordered to utilize the testimony of a vocational expert, if necessary, to ascertain if there is work that plaintiff can perform.

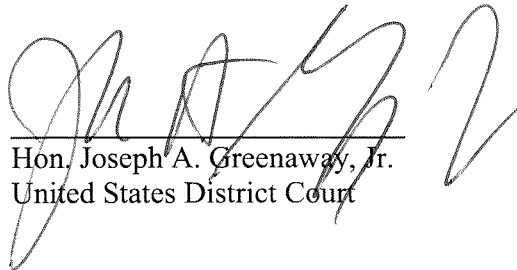
Plaintiff, through the undersigned attorney, having consented to the within order and the requested remand, and the Court having considered the matter,

IT IS on this 14th day of January, 2007

ORDERED that the final decision of the Commissioner be and hereby is REVERSED,

and the matter is REMANDED to the Defendant for this further administrative action, and it is further

ORDERED that the within matter be and hereby is DISMISSED in accord with the decision in Melkonyan v. Sullivan, 111 S. Ct. 2157 (1991).



Hon. Joseph A. Greenaway, Jr.
United States District Court

The undersigned hereby consent to the form and entry of the within order.

By: s/ Karla J. Gwinn
Karla J. Gwinn
Special Assistant U.S. Attorney
c/o Social Security Administration
Office of the General Counsel
26 Federal Plaza, Room 3904
New York, NY 10278
(212) 264-3650 x 224

By: s/ Anna P. Navatta
Anna P. Navatta
Attorney for Plaintiff
Northeast New Jersey Legal Services
61 Kansas Street
Hackensack, NJ 07601
(201) 487-2166